

PUBLIC HEARINGS
October 26, 2009

Public Hearings were held on Monday, **October 26, 2009**, at 6:50 p.m., in the Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina, to solicit public comment, written or oral, on **Bill No. 09-30**, for a fee-in-lieu of tax agreement with HW Berkeley; **Bill No. 09-38**, to amend the Code of Ordinances of Berkeley County with regard to water distribution systems; and **Bill No. 09-40**, to allow for changes in the preference given in awarding contracts.

Present: Mr. Daniel W. Davis, Supervisor, Chairman; Mr. Caldwell Pinckney, Jr., Council Member District No. 7, Vice Chairman; Mr. Phillip Farley, Council Member District No. 1; Mr. Timothy J. Callanan, Council Member District No. 2; Mr. Robert O. Call, Jr., Council Member District No. 3; Mrs. Cathy S. Davis, Council Member District No. 4; Mr. Steve C. Davis, Council Member District No. 8; Mrs. Nicole Scott Ewing, County Attorney; and Ms. Barbara B. Austin, Clerk of County Council.

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

Chairman Daniel Davis called the meeting to order and stated there were three Public Hearings being held to solicit public comment, written or oral.

There were no written comments on the bills for Public Hearing.

Bill No. 09-30, an **ordinance** authorizing the amended and restated **fee-in-lieu** of tax agreement (the “amended and restated fee agreement”) by and between Berkeley County, South Carolina, and HW Berkeley Phase II-A, LLC, HW Berkeley Phase II-B, LLC, HW Berkeley Phase II-C, LLC, HLIT IV SC-1, LP, and HLIT IV SC-2, LP, (the “parties”), and the bifurcation thereof, the result of which shall be two separate amended and restated fee-in-lieu of tax agreements titled as follows: (1) the amended and restated fee-in-lieu of tax agreement by and between Berkeley County, South Carolina, and **HW Berkeley Phase II-A, LLC, HW Berkeley Phase II-B, LLC, and HW Berkeley Phase II-C, LLC**, (“phase two”); and (2) the amended and restated fee-in-lieu of tax agreement by and between Berkeley County, South Carolina, and **HLIT IV SC-1, LP, and HLIT IV SC-2, LP**, (“phase one”), in consideration of additional on-going investment by the company; and other matters relating to the foregoing.

Chairman Daniel Davis asked if there were any public comments. There being none, the Public Hearing was declared ended at 6:52 p.m.

Bill No. 09-38, an **ordinance** to amend the Code of Ordinances, Berkeley County, South Carolina, regarding the **regulation** of the use of **public and private water distribution systems**.

(For clarification, Bill No. 09-38, if adopted, would repeal/eliminate the “mandatory” tie-in of water to Berkeley County Water and Sanitation’s water system.)

Mr. Henry Richardson, 2698 Cainhoy Road, Huger, addressed Council and stated his concerns with regard to the Berkeley County Water and Sanitation (BCWS) fees for tie-ins to its water system. Mr. Richardson, a former Berkeley County Council Member, stated the fee to be somewhere from \$600 to \$800 when he served on Council. Just the other day, Mr. Richardson inquired about a tie-in to water at BCWS, because his son is planning to build a home. Mr. Richardson stated that the fee quoted to him was \$2,500. In conclusion, Mr. Richardson stated that the economy is hard for government, but the economy is terribly hard on taxpayers and consumers also. Mr. Richardson asked that Council find “in their hearts” a way to reduce that tie-in fee, to assist citizens in dealing with the difficult economy to move on, and thus, bring the economy back up.

Mr. Charlie Trotter, 3969 Highway 45, Cross, addressed Council and stated his concerns with regard to BCWS’s mandatory tie-ins to water and sewer. Mr. Trotter stated that citizens having existing water and sewer systems, which are fully functional, should be allowed to continue using those systems. In conclusion, Mr. Trotter stated that mandatory tie-ins would create an undue hardship on a citizen who had already spent \$3,000 - \$4,000 for a private system.

Chairman Daniel Davis asked if there were any public comments. There being none, the Public Hearing was declared ended at 6:55 p.m.

Bill No. 09-40, an **ordinance** to amend **Ordinance No. 97-04-18**, to allow for changes in the preference that is given to Berkeley County and South Carolina businesses in the awarding of **County contracts**.

Chairman Daniel Davis stated that Bill No. 09-40 was not on this night’s agenda, but it would be addressed at a future date. The Public Hearing for this bill would be conducted this night. Chairman Daniel Davis stated that Bill No. 09-40 regarded bids/contracts, whereas, Berkeley County would provide a five percent local preference to local companies if adopted.

Chairman Daniel Davis asked if there were any public comments. There being none, the Public Hearing was declared ended at 6:56 p.m.

S/Barbara B. Austin, CCC
Clerk of County Council

November 23, 2009
Date Approved

PUBLIC HEARING

October 26, 2009

A **Public Hearing** was held on Monday, **October 26, 2009**, at 6:57 p.m., in the Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina, to solicit public comment, written or oral, in regard to the South Carolina Jobs Economic Development Authority (JEDA) and the County Council of Berkeley County in connection with the issuance of its Economic Revenue Bonds (**Goodwill Industries of Lower South Carolina, Inc.**), Series 2009, in one or more series in the aggregate principal amount not to exceed \$25,500,000. The proceeds of the bonds will be made available to Goodwill Industries of Lower South Carolina, Inc., a South Carolina nonprofit corporation.

Present: Mr. Daniel W. Davis, Supervisor, Chairman; Mr. Caldwell Pinckney, Jr., Council Member District No. 7, Vice Chairman; Mr. Phillip Farley, Council Member District No. 1; Mr. Timothy J. Callanan, Council Member District No. 2; Mr. Robert O. Call, Jr., Council Member District No. 3; Mrs. Cathy S. Davis, Council Member District No. 4; Mr. Steve C. Davis, Council Member District No. 8; Mrs. Nicole Scott Ewing, County Attorney; and Ms. Barbara B. Austin, Clerk of County Council.

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

Chairman Daniel Davis called the meeting to order and stated there was a Public Hearing being held to solicit public comment, written or oral.

There were no written comments regarding this Public Hearing.

Chairman Daniel Davis asked if there were any public comments. There being none, the Public Hearing was declared ended at 6:58 p.m.

S/Barbara B. Austin, CCC
Clerk of County Council

November 23, 2009
Date Approved

PUBLIC HEARING
October 26, 2009

A **Public Hearing** was held on Monday, **October 26, 2009**, at 6:56 p.m., in the Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina, to solicit public comment, written or oral, on **Bill Number 09-44**, regarding a **fee-in-lieu of tax** arrangement between Berkeley County and **Joseph T. Ryerson & Son, Inc.**, concerning an expansion of its facility, which project includes personal property interests therein, pursuant to Title 12, Chapter 44, of the Code of Laws of South Carolina 1976, as amended. This property is located at 1455 Hagan Avenue, Huger, South Carolina. As required by the Act, the project will not impose any pecuniary liability upon the County or constitute a charge upon the County's general credit or taxing power.

Present: Mr. Daniel W. Davis, Supervisor, Chairman; Mr. Caldwell Pinckney, Jr., Council Member District No. 7, Vice Chairman; Mr. Phillip Farley, Council Member District No. 1; Mr. Timothy J. Callanan, Council Member District No. 2; Mr. Robert O. Call, Jr., Council Member District No. 3; Mrs. Cathy S. Davis, Council Member District No. 4; Mr. Steve C. Davis, Council Member District No. 8; Mrs. Nicole Scott Ewing, County Attorney; and Ms. Barbara B. Austin, Clerk of County Council.

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

Chairman Daniel Davis called the meeting to order and stated this Public Hearing was being held to solicit public comment, written or oral.

There were no written comments on the bill for Public Hearing.

Bill No. 09-44, an **ordinance** authorizing the execution and delivery of a **fee agreement** between Berkeley County, South Carolina, and **Joseph T. Ryerson & Son, Inc.**; and matters relating thereto.

Chairman Daniel Davis asked if there were any public comments. There being none, the Public Hearing was declared ended at 6:57 p.m.

S/Barbara B. Austin, CCC
Clerk of County Council

November 23, 2009
Date Approved